

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et*
al.,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**NOTICE OF WITHDRAWAL OF CERTAIN CLAIMS SUBJECT TO OMNIBUS
OBJECTIONS OF THE COMMONWEALTH OF PUERTO RICO, THE PUERTO RICO
HIGHWAYS AND TRANSPORTATION AUTHORITY, THE PUERTO RICO
ELECTRIC POWER AUTHORITY, AND THE EMPLOYEES RETIREMENT SYSTEM
OF THE GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO**

To The Honorable United States District Judge Laura Taylor Swain:

1. On August 20, 2021, December 17, 2021, April 1, 2022 and August 5, 2022, the Commonwealth of Puerto Rico (the “Commonwealth”), the Puerto Rico Highways and Transportation Authority (“HTA”), the Puerto Rico Electric Power authority (“PREPA”) and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS,”

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

and, together with the Commonwealth, HTA, and PREPA, the “Debtors”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as sole Title III representative of the Debtors pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² filed various omnibus objections.

2. In light of additional information received since such filings, the Debtors respectfully withdraw, without prejudice, their respective objections to the following proofs of claim (collectively, the “Withdrawn Claims”):

- *Three Hundred Sixty-Second Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico, the Puerto Rico Highways and Transportation Authority, and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Misclassified Claims* [ECF No. 17927], **solely** with respect to Claim No. 149658;
- *Three Hundred Eighty-Seventh Omnibus Objection (Substantive) of the Puerto Rico Electric Power Authority to Misclassified Claims* [ECF No. 17926], **solely** with respect to Claim No. 32829;
- *Four Hundred Third Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico, the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, and the Puerto Rico Sales Tax Financing Corporation to Employee Claims Asserting Liabilities Owed by Entities that Are Not Title III Debtors* [ECF No. 19552], **solely** with respect to Claim No. 173086;
- *Four Hundred Twelfth Omnibus Objection (Non-Substantive) of the Puerto Rico Electric Power Authority to Deficient Claims* [ECF No. 19559], **solely** with respect to Claim Nos. 176498, 176447, and 176450;
- *Four Hundred Thirty-Seventh Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Duplicate Claims* [ECF No. 20495], **solely** with respect to Claim No. 60624;
- *Four Hundred Forty-First Omnibus Objection (Non-Substantive) of the Employees Retirement System of the Government of the Commonwealth of Puerto Rico and the Puerto Rico Highways and Transportation Authority to Cross-Debtor Duplicate Claims* [ECF No. 20499], **solely** with respect to Claim No. 134043;

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

- *Four Hundred Forty-Third Omnibus Objection (Substantive) of the Commonwealth of Puerto Rico and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico to Deficient ADR Claims* [ECF No. 20501], **solely** with respect to Claim No. 9891; and
- *Four Hundred Eighty-Fifth Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico, the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, and the Puerto Rico Highways and Transportation Authority to Duplicate Claims* [ECF No. 21734], **solely** with respect to Claim Nos. 75326 and 84203.

3. The Debtors reserve all rights with respect to the Withdrawn Claims, individually and collectively, including to object to the Withdrawn Claims on any grounds whatsoever.

Dated: April 11, 2023
San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer

Hermann D. Bauer
USDC No. 215205
Carla García Benítez
USDC No. 203708
Gabriel A. Miranda-Rivera
USDC No. 306704
O'NEILL & BORGES LLC
250 Muñoz Rivera Ave., Suite 800
San Juan, PR 00918-1813
Tel: (787) 764-8181
Fax: (787) 753-8944

/s/ Martin J. Bienenstock

Martin J. Bienenstock (*pro hac vice*)
Brian S. Rosen (*pro hac vice*)
PROSKAUER ROSE LLP
Eleven Times Square
New York, NY 10036
Tel: (212) 969-3000
Fax: (212) 969-2900

*Attorneys for the Financial Oversight and
Management Board for Puerto Rico, as
representative for the Commonwealth of
Puerto Rico, the Puerto Rico Highways and
Transportation Authority, the Puerto Rico
Electric Power Authority and the Employees
Retirement System of the Government of the
Commonwealth of Puerto Rico*